

# Congressional Oversight of the Clinton Administration

Minority Staff  
Committee on Government Reform  
U.S. House of Representatives

President Clinton, Vice President Gore, and their Administration were subjected to extensive congressional oversight. The Clinton Administration produced well over 1.2 million pages of documents to the House Government Reform Committee alone. The information provided to Congress included details of discussions between President Clinton and his closest advisors, internal e-mails from the Office of the Vice President, FBI interview notes, and documents describing every detail of contacts between the Administration and outside parties, including campaign contributors.

**Number of Documents Provided to Congress.** There is no comprehensive estimate of the number of documents provided by the Clinton Administration to Congress, but the total amount of documents is enormous. The General Accounting Office examined White House efforts to provide documents to Congress over an 18-month period from October 1996 to March 1998. GAO found that during this period alone, White House staff spent over 55,000 hours responding to over 300 congressional requests, producing hundreds of thousands of pages of documents and hundreds of video and audio tapes to Congress.<sup>1</sup>

The House Government Reform Committee conducted some of the most extensive investigations of the Clinton Administration. In total, the Committee received well over 1.2 million pages of documents from the Clinton Administration between January 1997 and January 2001.

**Types of Information Provided to Congress.** In the course of responding to congressional requests for information, the Clinton Administration produced a wide variety of documents and other information to Congress, including exceptionally sensitive materials. Examples of the types of information provided by the White House to the House Government Reform Committee are described below.

- **Discussions Between the President and His Advisors.** President Clinton waived executive privilege to allow his advisors to testify before the Committee about their discussions with him regarding the exercise of the presidential pardon power.<sup>2</sup> Attorney General Janet Reno informed the Committee about her discussions with the President during the confrontation at

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<sup>1</sup>Minority Staff, House Committee on Government Reform and Oversight, *The Cost of Congressional Campaign Finance Investigations to the U.S. Taxpayer*, 3 (Oct. 7, 1998) (available at <http://www.house.gov/reform/min/pdf/cfCostRepNew.pdf>).

<sup>2</sup>Letter from David E. Kendall to Rep. Dan Burton (Feb. 27, 2001).

Waco.<sup>3</sup> Senior presidential advisors spent hundreds of hours in depositions before Committee staff. These advisors included White House Chief of Staff Erskine Bowles,<sup>4</sup> White House Chief of Staff Mack McLarty,<sup>5</sup> and Senior Advisor and Deputy White House Counsel Bruce Lindsey.<sup>6</sup>

- **Internal White House E-Mails.** The White House spent over \$12 million to reconstruct internal White House e-mails for Committee review.<sup>7</sup> Thousands of pages of White House e-mails were provided to the Committee, including e-mails between the Vice President and his staff.<sup>8</sup>
- **Confidential Communications from the White House Counsel's Office.** The White House Counsel's Office turned over to the Committee many documents containing sensitive legal advice or communications. In a private-sector context, these documents would be covered by the attorney-client privilege and the work-product privilege. For example, during its campaign finance investigation, the Committee received notes taken by White House counsel reflecting attorney-client communications,<sup>9</sup> while during its investigation into the White House e-mail system, the Committee received a memorandum containing legal advice from the Vice President's counsel to the Vice President.<sup>10</sup>

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<sup>3</sup>See Interview of Attorney General Janet Reno, House Committee on Government Reform, 86-89 (Oct. 5, 2000).

<sup>4</sup>See Deposition of Erskine Bowles, House Committee on Government Reform and Oversight (May 5, 1998).

<sup>5</sup>See Deposition of Thomas F. McLarty, House Committee on Government Reform and Oversight (Sept. 5, 1997).

<sup>6</sup>See Deposition of Bruce Lindsey, House Committee on Government Reform and Oversight (Sept. 8, 1997, Apr. 29, 1998).

<sup>7</sup>Letter from Phillip D. Larsen, Special Assistant to the President and Director of the Office of Administration, to Rep. Ernest J. Istook, Jr. (Aug. 1, 2001).

<sup>8</sup>See, e.g., E-Mail from Joel Velasco to Vice President Gore (Feb. 22, 1998) (E 8701); E-Mail from Holly D. Carver to Vice President Gore (May 15, 1995) (E 8812).

<sup>9</sup>See untitled handwritten notes (undated) (EOP 055620-055635).

<sup>10</sup>See Memorandum from Todd Campbell to the Vice President (Nov. 2, 1993) (E 5795-5801).

- **DOJ and FBI Investigative and Prosecutorial Materials.** The Clinton Administration provided the Committee with over 2,000 pages of FBI “302s,” which are summaries of FBI interviews during criminal investigations.<sup>11</sup> The Administration also provided the Committee with unprecedented access to “prosecution memos” written by FBI Director Louis Freeh and campaign finance task force head Charles G. La Bella, allowing the Committee to review the memos in late 1998 and providing written copies in May 2000.<sup>12</sup>
- **Role of Political Supporters and Campaign Contributors in Influencing Policy.** Many Committee investigations of the Clinton Administration examined whether political supporters or campaign contributors influenced federal policies. During these investigations, the Clinton Administration routinely provided the Committee with information about its contacts with outside interests, as well as documents detailing internal deliberations affecting these outside interests. For example, the Administration produced all documents sought by the Committee when the Committee investigated whether campaign contributions influenced the Administration’s decision to deny an Indian tribe’s application for a dog track in Hudson, Wisconsin. The documents provided to the Committee included telephone records,<sup>13</sup> internal memoranda discussing the issue,<sup>14</sup> and even preliminary drafts of the final decision.<sup>15</sup>
- **Information Relating to Task Forces and Commissions.** Based on a request from a Republican congressman, the Clinton Administration provided the General Accounting Office (GAO) with the names of the private individuals who worked for or consulted with President

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<sup>11</sup>See, e.g., FBI FD-302s for Johnny Chung (FBI 001-133), John Huang (DOJ-H 0001 through 0282, FBI-HUANG-S-0001 through 0028), and Charlie Trie (FBI-TRIE 001 through 153).

<sup>12</sup>House Committee on Government Reform, *Janet Reno’s Stewardship of the Justice Department: A Failure to Serve the Ends of Justice*, 106<sup>th</sup> Cong., 2d Sess., v. 2, 2018-19 (Dec. 13, 2000) (H. Rept. 106-1027).

<sup>13</sup>See, e.g., House Committee on Government Reform, *Investigation of Political Fundraising Improprieties and Possible Violations of Law*, 105<sup>th</sup> Cong., 2d Sess., v. 3, 3306-07 (Nov. 5, 1998) (H. Rept. 105-829) (Exhibit 21).

<sup>14</sup>See, e.g., Memorandum from Office of the Area Director to Assistant Secretary - Indian Affairs (date partially illegible, 1994) (EOP 064500 to 064504); Memorandum from Indian Gaming Management Staff to Director, Indian Gaming Management Staff (June 8, 1995) (03195-03210).

<sup>15</sup>See, e.g., House Committee on Government Reform, *The Department of the Interior’s Denial of the Wisconsin Chippewa’s Casino Applications*, 105<sup>th</sup> Cong., 2d Sess., v. 3, 459-62 (Jan. 21, 22, 28, 29, 1998) (H. Rept. 105-92) (Exhibit 4 to Deposition of Heather Sibbison).

Clinton's health care task force.<sup>16</sup> Based on a similar request, the Clinton Administration provided GAO with communications between the White House China Trade Relations Working Group and parties outside the executive branch.<sup>17</sup> The Clinton Administration also directly provided the Committee with extensive information about the activities and operation of the Commission on United States-Pacific Trade and Investment Policy.<sup>18</sup>

- **White House Contacts with Private Individuals.** The Clinton Administration complied with Committee requests for extensive information about White House contacts with private individuals. For example, the White House provided records identifying persons who attended White House movies,<sup>19</sup> were invited to private dinners at the White House,<sup>20</sup> attended lunch in the White House mess,<sup>21</sup> or sat in the President's Box at the Kennedy Center.<sup>22</sup>

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<sup>16</sup>See White House Press Release (Mar. 26, 1993).

<sup>17</sup>Letter from Robert P. Murphy, General Counsel, General Accounting Office, to Rep. Frank Wolf (May 22, 2000).

<sup>18</sup>See, e.g., Letter from Susan G. Esserman, General Counsel, Office of the U.S. Trade Representative, to Rep. Dan Burton (May 23, 1997)

<sup>19</sup>See document titled "RSVP List" (undated) (EOP 025922-025926).

<sup>20</sup>See document titled "Private Dinner - Wednesday, June 16, 1993 - 7:30 PM" (undated) (EOP 037768-037785).

<sup>21</sup>See document titled "Lunch at the WH Mess" (undated) (EOP 047623).

<sup>22</sup>See Memorandum from Eric Sildon, Democratic National Committee, to Debi Schiff and Donald Dunn, the White House (Sept. 15, 1995) (EOP 017931).